

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

DIANE TLUCEK FONT,)	CASE NO. 1:14-cv-02805-DAP
)	
Plaintiff,)	JUDGE DAN AARON POLSTER
)	
vs.)	<u>ORDER ADOPTING REPORT</u>
)	<u>AND RECOMMENDATION</u>
COMMISSIONER OF SOCIAL SECURITY,)	
)	
Defendant.)	

Before the Court is the Report and Recommendation of Magistrate Judge George J. Limbert (“R & R”), Doc #. 21, which recommends that the Court reverse the ALJ’s decision and remand the matter.

Under the relevant statute,

Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

28 U.S.C. § 636(b)(1). Here, Defendant timely filed a response indicating that she did not oppose the R & R. Doc #: 22.

The Court has reviewed the Magistrate Judge's R & R. The Court agrees with the Magistrate Judge that the ALJ's decision is not based on substantial evidence because the record was not taken as a whole. Accordingly, the Court **ADOPTS** the Magistrate Judge's R & R, Doc. # 21, in full, **REVERSES** the ALJ's decision, and **REMANDS** Plaintiff's case to the Social Security Administration for analysis of Plaintiff's atrial fibrillation and to proceed through the sequential evaluation based on that analysis.

IT IS SO ORDERED.

/s/ *Dan A. Polster* Feb. 17, 2016

DAN AARON POLSTER
UNITED STATES DISTRICT JUDGE